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*Attorneys for Defendant ULURU Inc.*

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**IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH**  
**CENTRAL DIVISION**

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INTER-MOUNTAIN CAPITAL CORP., a  
Delaware corporation,

Plaintiff,

v.

ULURU INC., a Nevada corporation,

Defendant.

**NOTICE OF REMOVAL**  
(Removed from State Court  
Case No. 140905820)

Civil No. \_\_\_\_\_

Honorable \_\_\_\_\_

(Filed via ECF)

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Defendant ULURU Inc. (“ULURU”), by and through its undersigned counsel, hereby removes this lawsuit from the Third Judicial District Court of Salt Lake County, State of Utah, Civil No. 140905820 (the “State Action”), to the United States District Court for the District of Utah, Central Division, pursuant to 28 U.S.C. §§ 1441, 1446, and 1332. A true and correct copy of the Complaint in the State Action is attached hereto as “Exhibit 1” (the “Complaint”).

**PARTIES**

1. Plaintiff Inter-Mountain Capital Corp. (“Inter-Mountain”) is a Delaware corporation with its principal place of business in Illinois. [Complaint ¶ 1.]

2. Defendant ULURU is a Nevada corporation with its principal place of business in Texas. [Complaint ¶ 2.]

### **PROCEDURAL BACKGROUND**

3. On or about August 22, 2014, Inter-Mountain filed its Complaint against ULURU in the Third Judicial District Court for Salt Lake County, State of Utah.

4. The Complaint was first served on ULURU on August 28, 2014. A true and correct copy of the Acceptance of Service filed by Inter-Mountain in the State Action is attached hereto as “Exhibit 2” (the “Acceptance”).

5. Through the Complaint, Inter-Mountain has asserted multiple causes of action against ULURU. Specifically, the Complaint alleges that ULURU is liable to Inter-Mountain for damages in an amount greater than \$300,000 for breaching contractual obligations, for violating state or federal securities laws, and for common-law claims of fraud, quasi-contract, unjust enrichment, and quantum meruit. [Complaint ¶¶ 5, 20-92.]

### **DIVERSITY JURISDICTION**

6. The Complaint is removable under 28 U.S.C. § 1441(a) based on the original jurisdiction conferred upon this Court by 28 U.S.C. § 1332(a)(1) because the State Action is a civil dispute between citizens of different states in which the amount in controversy exceeds \$75,000, exclusive of interest and costs.

7. At all relevant times, from the time Inter-Mountain filed the Complaint to ULURU’s filing of this Notice of Removal, complete diversity of citizenship has existed between the parties because Inter-Mountain and ULURU are citizens of different states, as defined by 28 U.S.C. § 1332(c)(1). [See Complaint ¶¶ 1-2.]

8. As evidenced by the Complaint, Inter-Mountain seeks damages in an amount exceeding \$300,000 in addition to any claim for costs, fees, or interest. [Complaint ¶ 5.]

### **VENUE**

9. Venue is proper in this Court under 28 U.S.C. § 1441(a) because Inter-Mountain filed its Complaint in the Third Judicial District Court of Salt Lake County, State of Utah, which is embraced by the Central Division of the United States District Court for the District of Utah.

### **OTHER PROCEDURAL REQUIREMENTS**

10. Pursuant to 28 U.S.C. § 1446(a), all process, pleadings, and orders served upon ULURU in the State Action are concurrently filed herewith. The Complaint and Acceptance have been attached as Exhibits 1 and 2 respectively, as noted above, while true and correct copies of all other filings in the State Action are attached hereto as “Exhibit 3.”

11. This Notice of Removal is timely filed under 28 U.S.C. § 1446(b)(1) because it has been filed within thirty days after receipt by ULURU of a copy of the Complaint setting forth Inter-Mountain’s claims against ULURU.

12. Pursuant to 28 U.S.C. § 1446(d), a copy of this Notice of Removal will be promptly filed with the clerk of the state court from which the action was removed and will also be served upon Inter-Mountain through its counsel of record. A copy of ULURU’s Notice of Filing Notice of Removal to be filed in the State Action is attached hereto as “Exhibit 4.”

13. In accordance with DUCivR 3-4, a civil cover sheet is being filed concurrent with this Notice of Removal.

14. By filing this Notice of Removal, ULURU does not intend to waive any rights, claims, or defenses it may have, all of which are expressly reserved.

WHEREFORE, by and through its undersigned counsel, ULURU respectfully requests that this Court accept and approve this Notice of Removal and that the State Action be removed to the United States District Court for the District of Utah, Central Division.

DATED this 19th day of September 2014.

PARR BROWN GEE & LOVELESS

/s/ Jeffrey J. Hunt

Jeffrey J. Hunt

Michael S. Anderson

*Attorneys for Defendant ULURU Inc.*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 19th day of September 2014, I caused a true and correct copy of the foregoing **NOTICE OF REMOVAL** to be electronically filed and served via a court-approved e-filing service provider on the following:

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/s/ Jeffrey J. Hunt